

REMARKS

This is intended as a full and complete response to the Final Office Action dated April 26, 2004, having a shortened statutory period for response set to expire on July 26, 2004. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1, 2, 4-26, 28-36, and 43-49 are pending in the application and are shown above. Claims 1-2, 8, 10-11, 22-26, 30, 32-34, and 43-44 stand rejected and claims 4-7, 9, 12-21, 28-29, 31, 35-36, and 45-49 are allowed.

35 U.S.C. §102 Rejection

Claims 1-2, 8, 11, 22-26, 30, 32, 34, and 43-44 are patentable over *Reid* under 35 U.S.C. §102(e)

Claims 1-2, 8, 11, 22-26, 30, 32, 34, and 43-44 stand rejected under 35 U.S.C. 102(e) as being anticipated by *Reid* (U.S. 6,458,262). Applicants respectfully traverse this rejection. *Reid* discloses removing organics from an electrolyte sample and comparing the conductivity measurement of the resulting organic-free electrolyte sample with the density of the organic-free electrolyte sample in order to determine a concentration value for each of the metal salt and the acid of the original electrolyte sample without the interference of organics.

Applicants respectfully submit that the conductivity measurement of *Reid* is a nature/property of the materials present in the electrolyte sample and does not concern any variables of an electrochemical cell. For example, cell resistance is dependent upon variables of an electrochemical cell, such as current and voltage applied to the electrochemical cell, temperature inside the electrochemical cell, size and shape of the electrochemical cell, and flow rate of the electrolyte inside the electrochemical cell. *Reid* does not teach, show, or suggest determining a relationship between cell resistance of an electrochemical cell and concentration of conductive species, as recited in claims 1, 22, and 43, and claims dependent therefrom. In addition, *Reid* does not teach, show, or suggest measuring an electrochemical parameter of an electrochemical cell, as recited in claims 1, 22, and 43, and claims dependent therefrom.

Therefore, *Reid* does not teach, show, or suggest determining a relationship between cell resistance of an electrochemical cell and concentration of conductive species, measuring an electrochemical parameter of the electrochemical cell, and determining a test concentration of conductive species based upon the relationship and the electrochemical parameter, as recited in claims 1, 22, and 43, and claims dependent therefrom. Accordingly, Applicants respectfully request withdrawal of the rejection and allowance of the claims.

35 U.S.C. §103 Rejections

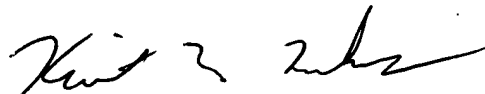
Claims 10 and 33 are patentable over *Reid* under 35 U.S.C. §103(a)

Claims 10 and 33 stand rejected under 35 U.S.C. 103(a) as being obvious over *Reid* (U.S. 6,458,262). Applicants respectfully traverse this rejection.

As discussed above, *Reid* does not teach, show, or suggest determining a relationship between cell resistance of an electrochemical cell and concentration of conductive species or the other elements of claims 1, 10, 22, and 33. Applicants respectfully request withdrawal of the rejection and allowance of the claims.

In conclusion, the reference cited by the Examiner does not teach, show, or suggest the invention as claimed. Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



Keith M. Tackett
Registration No. 32,008
MOSER, PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd. Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846
Attorney for Applicant(s)